



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,043	03/20/2000	Edward O Clapper	INTL-0354-US (P8573)	5766

7590 09/03/2004  
Timothy N Trop  
Trop Pruner & Hu  
8554 Katy Freeway Ste I00  
Houston, TX 77024

EXAMINER

COUSO, YON JUNG

ART UNIT PAPER NUMBER

2625

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/531,043

Applicant(s)

CLAPPER, EDWARD O

Examiner

Yon Couso

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 31-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 31-34, 36-39 and 41-46 is/are rejected.
- 7) ☒ Claim(s) 35, 40 and 47 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2625

1. This office action is in response to the amendment filed August 8, 2003.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 31, 36, and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by Clarisse (US 5.247,651).

As per claims 31 and 36, Clarisse teaches a method comprising: identifying a sequence of frames of recorded image information (column 3, lines 12-31); modifying an existing recorded frame in the sequence to alter the frame as recorded (column 7, line 3-column 9, line 6); and modifying the other frames in the sequence to progressively generate the modification over the sequence of frames (column 8, lines 1-15).

As per claim 41, Clarisse teaches a system comprising: a processor (column 3, lines 12-19); and a storage coupled to the processor, the storage storing software that, if executed, enables the system to identify a sequence of frames of recorded video information, modify an existing recorded frame in the sequence to alter the frame as recorded, and modify the other frames in the sequence to progressively generate the modification over the sequence of frames (column 7, line 3-column 9, line 6).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2625

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 31-34, 36-39, 41-42, and 44-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Washino (US 6,370,198).

As per claims 31 and 36, Washino teaches a method comprising: identifying a sequence of frames of recorded image information (figures 7c-7i); modifying an existing recorded frame in the sequence to alter the frame as recorded (column 6, lines 32-37); and modifying the other frames in the sequence to progressively generate the modification over the sequence of frames (column 6, lines 14-47).

As per claims 32 and 37, Washino teaches identifying a sequence of frames includes identifying a first frame of the sequence and the last frame of the sequence (figures 7c-7i).

As per claims 33 and 38, Washino teaches modifying an existing recorded frame includes enlarging the image depicted in the recorded frame (column 7, lines 27-35).

As per claims 34 and 39, Washino teaches modifying an existing recorded frame includes changing the angle of the frame to create a pan effect (column 6, line 36).

As per claim 41, Washino teaches a system comprising: a processor (74 in figure 2); and a storage coupled to the processor, the storage storing software that, if executed, enables the system to identify a sequence of frames of recorded video information, modify an existing recorded frame in the sequence to alter the frame as

Art Unit: 2625

recorded, and modify the other frames in the sequence to progressively generate the modification over the sequence of frames (78 in figure 2 and column 6, lines 14-47).

As per claim 42, Washino teaches a display coupled to the processor (244 in figure 6).

As per claim 44, Washino teaches the software includes instructions for identifying a first frame of the sequence and a last frame of the sequence (figures 7c-7i).

As per claim 45, Washino teaches the software storage includes instructions to enlarge the image depicted in the recorded frame (column 7, lines 27-35).

As per claim 46, Washino teaches the software includes instruction to change the angle of the frame to create a pan effect (column 6, line 36).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Washino (US 6,370,198).

The arguments advanced in paragraph 3 above as to the applicability of the reference are incorporated herein.

As per claim 43, Washino does not teach details on the storage that stores a graphical user interface which displays a video sequence as a series of thumbnail frames. However, Washino teaches variety of output formats in its disclosure (title, figure 8, and column 21, line 34-column 22, line 42). Given the reference at the time the

Art Unit: 2625

invention was made, it would have been obvious to one of ordinary skill in the art to display video sequence as a series of thumbnail frames because Washino teaches multi-format video production system which can be formatted to the need of the display device. If there was a need for displaying a video sequence as a series of thumbnail frames, Washino would have had capability to display a video sequence as a series of thumbnail frames.

5. Claims 35, 40 and 47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

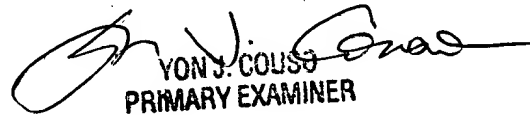
Art Unit: 2625

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yon Couso whose telephone number is (703) 305-4779.

The examiner can normally be reached on 8:30 am –5:00 pm from Monday to Friday

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

  
YON J. COUSO  
PRIMARY EXAMINER

Yjc

August 26, 2004